

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DAVID BENNETT,

Petitioner,

v.

JOE BIDEN,

Respondent.

No. 2:23-cv-0619 DAD AC P

ORDER

Petitioner has filed a second motion for an extension of time to file objections to the November 6, 2023 findings and recommendations and yet another request for appointment of a guardian ad litem.

In requesting a sixty-day extension of time, petitioner states that he has yet to receive the copies of the docket and petition that were ordered served on him on November 20, 2023. ECF No. 15. A review of the file indicates that while the Clerk of the Court did serve petitioner with courtesy copies of the docket and petition, those copies were returned by the postal service and were inadvertently not re-served after the court received petitioner's notice of change of address. The court will therefore grant petitioner another extension of time to respond to the findings and recommendations and the Clerk of the Court will be instructed to re-serve petitioner with courtesy copies of the docket and petition. Petitioner is cautioned that given the requested length of this second extension, no further extensions will be granted absent a showing of extraordinary circumstances.

Petitioner has also filed another request for a guardian ad litem. ECF No. 14. The motion is substantively identical to petitioner's previous motion for a guardian ad litem, which was denied on November 20, 2023. The present motion does not present any new facts or evidence, and the motion will be denied for the same reason set forth in the November 20, 2023 order (ECF No. 12), which is incorporated herein by reference.

Good cause appearing, IT IS HEREBY ORDERED that:

1. Petitioner's request for an extension of time (ECF No. 15) is GRANTED.

2. Petitioner shall have sixty days from the service of this order to file objections to the November 6, 2023 findings and recommendations. No further extensions of time will be granted absent a showing of extraordinary circumstances.

3. The Clerk of the Court is directed to send petitioner a one-time courtesy copy of the docket and petition in this case.

4. Petitioner's motion for appointment of a guardian ad litem (ECF No. 14) is DENIED.

DATED: January 12, 2024

Allison Claire  
ALLISON CLAIRE  
UNITED STATES MAGISTRATE JUDGE